



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,072	02/26/2004	Yohsuke Ishii	MEI-101	3877

24956 7590 11/29/2005

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

DARNO, PATRICK A

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/786,072		ISHII ET AL.	
	Examiner		Art Unit	
	Patrick A. Darno		2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11182005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 are pending in this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4, 19 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication Number 2004/0153552 issued to Dirk Trossen et. al (hereinafter "Trossen").

Claims 1, 19, and 22:

Trossen teaches an access controller that controls an access to an information resource stored in a storage device, a plurality of the access controllers and the storage devices being connected with a network, the access controller comprising:

an access restriction module configured to restrict access to each information resource according to an access control list on which access right to each information resource is recorded (Trossen: paragraph [0010], lines 1-7 and paragraph [0021], lines 3-5 and paragraph [0047], lines 6-13; The white list is the access control list.);

an access interception module configured to intercept an access by an access prohibited user listed on an access prohibition list (Trossen: paragraph [0047], lines 6-13; Note specifically the black list.);

an input module configured to input user information corresponding to the access prohibited user (Trossen: paragraph [00046], lines 17-25; This reference teaches changing of access rights which would require inputting user information corresponding to the user on a black list as mentioned in paragraph [0047].); and

a list update module configured to update the access prohibition list corresponding to each access controller connected with the network, according to the user information input through the input module (Trossen: paragraph [0032], lines 4-11 and paragraph [0039], lines 1-4 and 13-16 and paragraph [0051], lines 5-9; The reference shows the subscription commands allow for the changing of access rights (or updating the access list or black list). The second reference shows distributed access controllers and updating thereof. And the third reference further displays submitting and updating of access rights.)

Claim 2:

Trossen teaches all the elements of claim 1, as noted above, and Trossen further teaches an access controller wherein the list update module sends out other access controller a registration instruction to register the input user information on the access prohibition list of the other access controller (Trossen: paragraph [0039], lines 1-4 and 13-16 and also see paragraph [0032], lines 4-11; Paragraph [0032] identifies the SUBSCRIBE message as being capable to update or change the access rights (line 8).

Art Unit: 2163

Further paragraph [0039] discloses sending the update messages to multiple access controllers and when the updated list is the black list, updating the black list.).

Claim 4:

Trossen teaches all the elements of claim 1, as noted above, and Trossen further teaches wherein the access interception module also intercepts the access that has not completed (Tresson: paragraph [0047], lines 6-13 and paragraph [0050], lines 3-5; When access is denied, the access is interrupted and therefore not completed.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trossen in further view U.S. Patent Application Publication Number 2003/0018747 issued to Bjarne Geir Herland (hereinafter "Herland").

Claim 3:

Trossen discloses all the elements of claim 1, as noted above, but does not explicitly disclose wherein the list update module sends out updated access prohibition list to other access controller. However, Herland discloses wherein the list update module sends out updated access prohibition list to other access controller (Herland: paragraph [0034], lines 5-6; Note especially "send an updated list of users". This reference shows that sending a list of data between two objects is well known in the

Art Unit: 2163

art.). It would have been obvious to one of ordinary skill in the art to modify Trossen with the teachings of Herland noted above for the purpose of sending a list of data between two points. The skilled artisan would have been motivated to improve the invention of Trossen per the above such that an updated list of prohibited users could be sent to another access controller.

4. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trossen in further view of U.S. Patent Application Publication Number 2003/0041088 issued to Marc D. Wilson et. al (hereinafter "Wilson").

Claim 5:

Trossen discloses all the elements of claim 1, as noted above, but Trossen does not explicitly disclose comprising access control list update module configured to update the access control list according to the access prohibition list. However, Wilson discloses comprising access control list update module configured to update the access control list according to the access prohibition list (Wilson: paragraph [0245], lines 14-16; This reference teaches updating a first list based on the changes occurring in a second list.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Trossen with the teachings of Wilson noted above for the purpose of updating a first list based on the changes in a second list (Wilson: paragraph [0245], lines 14-16). The skilled artisan would have been motivated to improve Tresson per the above in order to maintain data consistency between two changing lists of users.

Art Unit: 2163

Claim 6:

The combination of Tresson and Wilson discloses all the elements of claim 5, as noted above, and Tresson further discloses wherein the list update module deletes the user information on the access prohibition list at a predetermined timing (Tresson: paragraph [0032], lines 9-11; When the subscription expires, the access rights are dissolved. And that is exactly what the applicant is claiming here.).

Claim 7:

The combination of Tresson and Wilson discloses all the elements of claim 6, as noted above, and Tresson further discloses wherein the predetermined timing is after the update of the access control list has been completed (Tresson: paragraph [0032], lines 9-11; The functionality of the reference is still identical to that of the claim presented by the applicant. The changing or setting of the predetermined time is obvious and well known to one of ordinary skill in the art and is simply a design choice/intended use.)

Claim 8:

The combination of Tresson and Wilson discloses all the elements of claim 6, as noted above, and Tresson further discloses wherein the predetermined timing is after the update of all access control list has been completed (Tresson: paragraph [0032], lines 9-11; Again the functionality of the reference is still identical to that of the claim presented by the applicant. The changing or setting of the predetermined time is obvious and well known to one of ordinary skill in the art and is simply a design choice/intended use.).

Art Unit: 2163

5. Claims 9, 15, 18, 20-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trossen in further view of U.S. Patent Application Publication Number 2004/0203589 issued to Jiwei R. Wang (hereinafter "Wang").

Claims 9, 20, and 23:

Trossen discloses an access controller that controls an access to an information resource stored in a storage device, a plurality of the access controllers and the storage devices being connected with a network, the access controller comprising: an access restriction module configured to restrict access to each information resource according to an access control list on which access right to each information resource is recorded (Trossen: paragraph [0010], lines 1-7 and paragraph [0021], lines 3-5 and paragraph [0047], lines 6-13; The "white list" is the access control list.); a receiving module configured to receive user information of an access prohibited user, from other access controller (Trossen: paragraph [00046], lines 17-25; Details changing of access rights which would require inputting user information corresponding to the user on a black list as mentioned in paragraph [0047]. Further, since the inputting of the user information is required, there must also be a means for receiving the inputted user information. This information is submitted to change the access rights that previously exist, which would involve updating either the access list or black list.); a list update module configured to update an access prohibition list, which records user information of access prohibited users, according to the received user information (Trossen: paragraph [0032], lines 4-11 and paragraph [0039], lines 1-4 and 13-16 and paragraph [0051], lines 5-9; The reference shows the subscription commands allow for the changing of access rights (or

Art Unit: 2163

updating the access list or black list). The second reference shows distributed access controllers and updating thereof. And the third reference further displays submitting and updating of access rights.); and an access interception module configured to restrict the access by reference to the access prohibition list (Trossen: paragraph [0047], lines 6-13; Note specifically the black list.).

Trossen does not explicitly disclose restricting the access by reference to the access prohibition list **prior to the access control list**. However, Wang discloses restricting the access by reference to an access prohibition list, **prior to the access control list** (Wang: paragraph [0033], lines 1-3; The black list is the prohibited list and the white list is the access allowed list.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Trossen with the teachings of Wang noted above for the purpose of modifying the order in which the lists are referenced. The skilled artisan would have been motivated to improve the invention of Trossen per the above such that the system is capable of checking a black list of access rights prior to checking an access rights control list (Wang: paragraph [0033], lines 1-3).

Claim 10:

The combination of Trossen and Wang discloses all the elements of claim 9, as noted above, and Trossen further discloses wherein the access interception module also intercepts the uncompleted access (Trossen: paragraph [0047], lines 6-13 and paragraph [0050], lines 3-5; When access is denied, the access is interrupted and therefore not completed.).

Claims 15 and 21:

Trossen discloses an access control system in which a plurality of storage devices for storing information resources and access controllers for controlling accesses to the information resources are connected with a network, each access controller comprising: an access restriction module configured to restrict access to each information resource according to an access control list that records access right to each information resource (Trossen: paragraph [0010], lines 1-7 and paragraph [0021], lines 3-5 and paragraph [0047], lines 6-13; The "white list" is the access control list.); an access interception module configured to restrict the access by reference to an access prohibition list, which records user information of access prohibited users (Trossen: paragraph [0047], lines 6-13; Note specifically the black list.); at least one of the access controllers corresponding to the updated access prohibition list further comprising a distribution module configured to send out the user information or the updated access prohibition list to other access controller in response to the update (Trossen: paragraph [0032], lines 4-11 and paragraph [0039], lines 1-4 and 13-16 and paragraph [0051], lines 5-9; The reference shows the subscription commands allow for the changing of access rights (or updating the access list or black list). The second reference shows distributed access controllers and updating thereof (Note especially "sending appropriate match message". This is the distribution module sending access right updates (subscribe commands see paragraph [0032]) to distributed access controllers.). And the third reference further displays submitting and updating of access rights.); and the other access controller further comprising a list update module configured to receive

Art Unit: 2163

the user information or the updated access prohibition list and to update the access prohibition list of the other access controller (Trossen: paragraph [0032], lines 4-11 and paragraph [0039], lines 1-4 and 13-16 and paragraph [0051], lines 5-9; The reference shows the subscription commands allow for the changing of access rights (or updating the access list or black list). The second reference shows distributed access controllers and updating thereof. And the third reference further displays submitting and updating of access rights.).

Trossen does not explicitly disclose restricting access by reference to an access prohibition list, **prior to the access control list**. However, Wang discloses restricting access by reference to an access prohibition list, **prior to the access control list** (Wang: paragraph [0033], lines 1-3; The black list is the prohibited list and the white list is the access allowed list.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Trossen with the teachings of Wang noted above for the purpose of modifying the order in which the lists are referenced. The skilled artisan would have been motivated to improve the invention of Trossen per the above such that the system is capable of checking a black list of access rights prior to checking an access rights control list (Wang: paragraph [0033], lines 1-3; The black list is the prohibited list and the white list is the access allowed list.).

Claim 18:

Trossen discloses an access control system in which a plurality of storage devices for storing information resources and access controllers for controlling an

access to the information resources are connected with a network, each access controller comprising:

- an access restriction module configured to restrict access to each information resource according to an access control list on which access right to each information resource is recorded (Trossen: paragraph [0010], lines 1-7 and paragraph [0021], lines 3-5 and paragraph [0047], lines 6-13; The white list is the access control list.);

- an access interception module configured to restrict the access by reference to an access prohibition list, which records user information of access prohibited users (Trossen: paragraph [0047], lines 6-13; Note specifically the black list.);

- a distribution module configured to broadcast the user information to other access controller in response to update of own access prohibition list (paragraph [0039], lines 1-4 and 13-16; This reference shows distributed access controllers and updating thereof (Note especially "sending appropriate match message". This is the distribution module sending access right updates (subscribe commands see paragraph [0032]) to distributed access controllers.);

- a list update module configured to update own access prohibition list in case of receiving the user information (Trossen: paragraph [00046], lines 17-25; This reference teaches changing of access rights which would require inputting user information corresponding to the user on a black list as mentioned in paragraph [0047].);

- an access control list update module configured to update the access control list according to the user information after updating the access prohibition list (Trossen: paragraph [0032], lines 4-11 and paragraph [0039], lines 1-4 and 13-16 and paragraph

[0051], lines 5-9; The reference shows the subscription commands allow for the changing of access rights (or updating the access list or black list). The second reference shows distributed access controllers and updating thereof. And the third reference further displays submitting and updating of access rights.); and

a user information deletion module configured to delete the user information from the access prohibition list after updating the access control list (Tresson: paragraph [0032], lines 9-11; When the subscription expires, the access rights are deleted. The functionality is disclosed here is the same as the applicants, all that is different is the condition for when it occurs. The condition for the event to take place is simply intended use or design choice.).

Trossen does not explicitly disclose restricting the access by reference to an access prohibition list, **prior to the access control list**. However, Wang discloses restricting the access by reference to an access prohibition list, **prior to the access control list** (Wang: paragraph [0033], lines 1-3; The black list is the prohibited list and the white list is the access allowed list.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Trossen with the teachings of Wang noted above for the purpose of modifying the order in which the lists are referenced. The skilled artisan would have been motivated to improve the invention of Trossen per the above such that the system is capable of checking a black list of access rights prior to checking an access rights control list (Wang: paragraph [0033], lines 1-3; The black list is the prohibited list and the white list is the access allowed list.).

Claim 16:

The combination of Trossen and Wang discloses all the elements of claim 15, as noted above, and Trossen further discloses wherein the distribution module broadcasts the user information or the updated access prohibition list over all of the other access controllers (Trossen: paragraph [0032], lines 4-11 and paragraph [0039], lines 1-4 and 13-16 and paragraph [0051], lines 5-9; The reference shows the subscription commands allow for the changing of access rights (or updating the access list or black list). The second reference shows distributed access controllers and updating thereof (Note especially "sending appropriate match message". This is the distribution module sending access right updates (subscribe commands see paragraph [0032]) to distributed access controllers.). And the third reference further displays submitting and updating of access rights.).

Claim 17:

The combination of Trossen and Wang discloses all the elements of claim 15, as noted above, and Trossen further discloses wherein the distribution module of each access controller sends out the user information or the updated prohibition list to predetermined another access controller, thereby transmitting the user information or the updated prohibition list from one access controller to another (Trossen: paragraph [0032], lines 4-5; "The repository may be included in the subscribe command." And note in paragraph [0032] that the subscribe command is used for changing (or updating) access rights.).

6. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trossen in view of Wang and further in view of Wilson.

Claim 11:

The combination of Trossen and Wang discloses all the elements of claim 9, as noted above, but does not explicitly disclose comprising access control list update module configured to update the access control list according to the access prohibition list. However, Wilson discloses comprising access control list update module configured to update the access control list according to the access prohibition list (Wilson: paragraph [0245], lines 14-16; This reference teaches updating a first list based on the changes occurring in a second list.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the previously mentioned combination with the teachings of Wilson noted above for the purpose of updating a first list based on the changes in a second list (Wilson: paragraph [0245], lines 14-16). The skilled artisan would have been motivated to improve the previously mentioned combination per the above in order to maintain data consistency maintained between two changing lists of users.

Claim 12:

The combination of Trossen, Wang, and Wilson discloses all the elements of claim 11, as noted above, and Trossen further discloses wherein the list update module deletes the user information on the access prohibition list at a predetermined timing (Tresson: paragraph [0032], lines 9-11; When the subscription expires, the access rights are dissolved. And that is exactly what the applicant is claiming here.).

Claim 13:

The combination of Trossen, Wang, and Wilson discloses all the elements of claim 12, as noted above, and Trossen further discloses wherein the predetermined timing is after the update of the access control list has been completed (Tresson: paragraph [0032], lines 9-11; The functionality of the reference is still identical to that of the claim presented by the applicant. The changing or setting of the predetermined time is obvious and well known to one of ordinary skill in the art and is simply a design choice/intended use.).

Claim 14:

The combination of Trossen, Wang, and Wilson discloses all the elements of claim 12, as noted above, and Trossen further discloses wherein the predetermined timing is after the update of all access control list has been completed (Tresson: paragraph [0032], lines 9-11; Again the functionality of the reference is still identical to that of the claim presented by the applicant. The changing or setting of the predetermined time is obvious and well known to one of ordinary skill in the art and is simply a design choice/intended use.).

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick A. Darno whose telephone number is (571) 272-0788. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

Art Unit: 2163

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PD

 Patrick A. Darno
Examiner
Art Unit 2163
